

**UNITED STATES BANKRUPTCY COURT
Western District of Pennsylvania**

53 – 52
ctak

In re:

Bankruptcy Case No.: 01–31701–JKF
Related to Document No. 52
Chapter: 13
Hearing Date: 2/15/06 at 01:30 PM

James J. Byers Jr.
Debtor(s)

**Order Scheduling Dates For
Response And Hearing On Motion**

AND NOW, this The 10th of January, 2006, a Motion for Recovery of Unclaimed Funds by Cendant Corporation, having been filed in the above captioned proceeding,

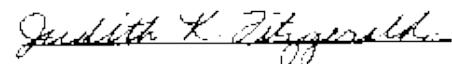
IT IS HEREBY ORDERED THAT:

1. Pursuant to Fed.R.Bankr.P.7004, counsel for the moving party shall **serve forthwith** a copy of this Order and the Motion upon all parties from whom relief is sought and their counsel and on all equity security holders in Chapter 11 bankruptcy cases, if any, and file a Certificate of Service. **Failure to properly serve the Motion or file the Certificate may result in dismissal of the above-captioned motion.**
2. **Any Response** including a consent to the Motion **shall be filed with the Clerk's Office at**
**U.S. Bankruptcy Court
5414 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219**
by 1/30/06 and served on the Moving Party and its counsel.
3. This Motion is scheduled for a non evidentiary hearing on **2/15/06 at 01:30 PM in Courtroom A, 54th Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219** at which time the parties and/or their counsel shall appear and the Court will dispose of the Motion.
4. If service was properly made and Respondent(s) fail to file a Response by the above-specified date, the Court **may** determine after review of the Motion that no hearing is required and accordingly enter the Order by default.

TO DETERMINE IF A DEFAULT ORDER HAS BEEN SIGNED, THE PARTIES ARE DIRECTED TO THE WEB SITE OF THE U.S. BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA AT www.pawb.uscourts.gov ONE DAY PRIOR TO THE SCHEDULED HEARING DATE. REFER TO THE CALENDAR SECTION TO VIEW THE CALENDAR FOR JUDGE Judith K. Fitzgerald. NOTE: ORDERS IN CHAPTER 13 SELF-SCHEDULED (a) MATTERS DEFALTED PURSUANT TO LOCAL RULE 9013.4 WILL NOT BE POSTED ON THE WEB SITE. THE WEB SITE WILL LIST CHAPTER 13 SELF-SCHEDULED (b) AND (c) MATTERS ONLY.

If a default order has not been signed, the parties or their counsel are **required** to appear in Court at the hearing on the above date and time. **No witnesses will be heard.**

5. A maximum of 15 minutes has been allotted to hear this matter. Should the matter require more than 15 minutes, the parties are required to so notify the Courtroom Deputy **immediately**. The Court **may** authorize parties or counsel to participate in the above hearing by telephone provided arrangements are made with the courtroom deputy by telephone at (412) 644–4060 ext. 134 or 155 at least three (3) days prior to the hearing.
6. A hearing will occur only if objections are filed.



Judith K. Fitzgerald
Judge